
UNITED STATES DISTRICT COURT

District of Minnesota

ANDREW T. SEMMELMAN, JAMES DIMON, CHASE
BANK USA, N.A. AND JPMORGAN CHASE & CO.,

AMENDED ORDER

PLAINTIFFS,

V.

Case Number: 05-CV-644 (MJD/AJB)

RICHARD LEE MELLOR AND MARY KIFFMEYER,
MINNESOTA SECRETARY OF STATE,

DEFENDANTS.

Based on the attached stipulation, this Court's order dated January 13, 2006

[Doc. No. 42], is amended in the following way:

IT IS HEREBY ORDERED:

1. Plaintiffs' Motion to for Summary Judgment [Doc. No. 13] is **GRANTED**;
 - a. Richard Lee Mellor is permanently enjoined from filing fraudulent UCC Financing Statements or any other fraudulent documents concerning: (a) Semmelman; (b) Dimon; (c) JPMorgan Chase (including predecessor by merger, Bank One Corporation); (d) Chase (including its predecessor by merger, Bank One, Delaware, N.A.); and/or (e) their employees or agents with the Minnesota Secretary of State, absent relief from this Court;
 - b. The Minnesota Secretary of State shall remove and expunge UCC Financing Statements, filing numbers 200413875650, 20041407846, 200414081112, 200515226262, and 200515226212 from the public record;
 - c. Under Minn. Stat. 336.9-625(e), statutory damages in the amount of \$2,500 are assessed against Richard Lee Mellor;
 - d. Richard Lee Mellor must pay Plaintiffs \$2,500 in statutory damages within ninety (90) days of the date of this Order; and
 - e. The sanctions shall be remitted to Plaintiffs' attorneys.

2. Plaintiffs' Motion for Sanctions [Doc. No. 15] is **GRANTED**;
 - a. Plaintiffs must file with Court affidavits documenting their reasonable legal fees and costs associated with this litigation within thirty (30) days of the date of this Order; and
 - b. At the time that Plaintiffs file their affidavits, Plaintiffs must submit to this Chambers' email box a proposed order awarding Plaintiffs legal fees and costs.
3. Plaintiffs' Motion to Strike Defendant's Amended Answer and Counterclaim [Doc. No. 24] is **GRANTED**; and
4. Defendant Mellor's Motion to Dismiss for Cause [Doc. No. 30] is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 10, 2006

s / Michael J. Davis
Michael J. Davis
United States District Court